

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

VS.

JOSEPH CLARK,

Defendant.

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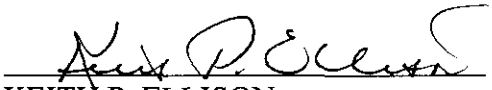
CRIMINAL NO. H-05-0105-1

MEMORANDUM AND ORDER

Pending before the Court is Defendant's motion to receive a sentencing credit for time spent in state custody prior to his sentencing in this Court. Before requesting judicial review of the computation of his sentence, Defendant is required to exhaust his administrative remedies by following Bureau of Prisons appeal procedures. *See United States v. Wilson*, 503 U.S. 329, 334-37 (1992); *Pierce v. Fleming*, 150 F. App'x 344, 344-45 (5th Cir. 2005) (unpublished).¹ Defendant has made no showing of such exhaustion. Accordingly, his motion, Docket No. 14, is hereby **DENIED**.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 19th day of July, 2006.


KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**

¹ Pursuant to Fifth Circuit Rule 47.5.4, unpublished decisions issued after January 1, 1996 may be cited as persuasive precedent.